

EFFECTIVE DATE OF THIS ORDINANCE IS OCTOBER 1, 2005

ORDINANCE NO. 05-23-384

**Re: An Ordinance to Revise Fees for Processing of Permits
and Applications and the Review of Plats and Plans;
to Establish Fees for APFO Review; and to Establish
Fees for Review of Yard Modification Requests**

PREAMBLE

Pursuant to the authority contained in, *inter alia*, the Annotated Code of Maryland, Article 25, and §§1-2-64(F), 1-7-64, 1-7-96, 1-14-1(A) – (C), 1-14-94, 1-16-46, 1-19-28, 1-20-24, and 1-21-23 of the Frederick County Code, the Board of County Commissioners (BOCC) is seeking to revise fees collected by the Division of Permitting and Development Review (DPDR), to establish fees for services related to the Adequate Public Facilities Ordinance (APFO), and to establish fees for review of yard modification requests by the Department of Planning and Zoning.

Fees collected by the DPDR were last revised in October 2003 by Ordinance No. 03-15-338. The Frederick County Code, in §§1-2-64(F) (fire and rescue plan review and inspection), 1-7-64 (electrical permits), 1-7-96 (electricians' licenses), 1-14-1(A)–(C) (plumbers' licenses), 1-14-94 (plumbing permits), 1-16-46 (subdivision-related services), 1-19-28 (zoning-related services), 1-20-24 (Adequate Public Facilities Ordinance), and 1-21-23 (Forest Resource Ordinance) authorizes the BOCC to establish or revise fees for the services described in these sections by resolution. However, because the fees shown on Exhibit A were previously set by ordinance, the same procedure is used herein to revise them.

After reviewing the fees currently charged by the DPDR, the BOCC has determined that it is necessary to revise these fees on an annual basis to provide 100% cost recovery for this County enterprise fund. In the near future, the BOCC will consider an ordinance proposing revisions to the Frederick County Code to establish annual revision of DPDR fees in accordance with the State &

Local Government Compensation Index (Index) published by the U.S. Department of Labor, Bureau of Labor Statistics, or a similar index.

The institution of annual revisions to DPDR fees will require compliance with formal procedures required to amend the Subdivision Regulations and the Zoning Ordinance of the Frederick County Code. Therefore, the BOCC has decided to revise fees via the proposed ordinance as a "first step" toward the establishment of automatic annual adjustments. The revised DPDR fees are shown on Exhibit A.

In addition, this ordinance establishes a schedule of APFO fees, as shown on Exhibit B, to recover costs of services provided in connection with the APFO, including, but not limited to: (1) review of plans and other documents (such as traffic studies, water and sewer studies, developers option letters, etc.); (2) scoping meetings with applicants; (3) drafting and reviewing letters of understanding; and (4) monitoring APFO approval conditions included in letters of understanding.

Finally, this proposed ordinance establishes a fee for the review of yard modification requests by the Division of Planning, as shown on Exhibit C.

The County Commissioners held a duly advertised public hearing concerning this ordinance on Tuesday, August 30, 2005, during which the public had an opportunity to comment on this Ordinance. At the public hearing, the County Commissioners passed a motion directing staff to amend the ordinance to exempt all municipal government projects in Frederick County from payment of the fees included in this Ordinance.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREDERICK COUNTY, MARYLAND that the schedules of fees attached hereto as Exhibits A , B and C, reflecting updated fees for services provided by the DPDR and establishing fees for APFO-related services and for yard modification requests, are hereby adopted; and

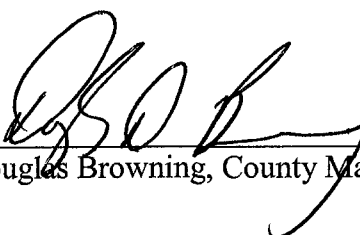
BE IT FURTHER ENACTED that all municipal government projects in Frederick County shall be exempted from payment of the fees shown on Exhibits A, B and C hereof; and

BE IT FURTHER ENACTED that a municipal government project shall be defined as a project owned and funded by a municipal government. Developer-funded projects that will ultimately be owned by a municipal government shall not be exempt from these fees. For municipal government projects funded by a combination of developer and municipal government funds, these fees shall be reduced in proportion to the percentage of the project funded by the municipal government.

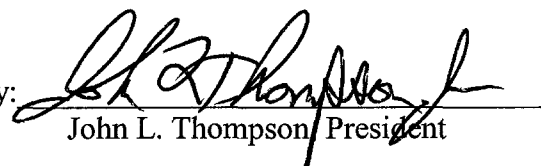
BE IT FURTHER ENACTED that this Ordinance will become effective on October 1, 2005, after a fair summary of the revised fees is published in the *Frederick News Post* and a copy is filed with the Clerk of the Circuit Court for Frederick County, Maryland. The new and revised fees will apply to applications received on or after the effective date of this ordinance.

The undersigned hereby certifies that this Ordinance was approved and adopted on this 13th day of September, 2005.

ATTEST:


Douglas Browning, County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

By: 
John L. Thompson, President

**EXHIBIT A
PERMITTING AND DEVELOPMENT REVIEW
FY 2006 FEES**

<u>Fee Description</u>	<u>Fee</u>
<u>PERMIT and INSPECTION FEES</u>	
Building Permit Fee – Structural	
New Residential (1 & 2 family) per sq. ft. (finished)	\$0.18
Apartments (all floors), per sq. ft.	\$0.18
Commercial & Industrial (all floors), per sq. ft.	\$0.18
Conversion of existing buildings into apartments or other Commercial uses, per sq. ft.	\$0.18
Residential garages, carports, basements (unfinished), porches, decks, breezeways, swimming pools, accessory buildings, per sq. ft.	\$0.08
Residential alterations, conversions, interior and exterior remodeling where floor are not changed or increased, per sq. ft.	\$0.10
Mobile Homes, each	\$83.00
Minimum Fee, all building permits, each	\$41.00
Re-inspection fees (when applicant calls and inspector finds work not ready, permit not posted or unable to gain entry.	\$41.00
Working without permit penalty	\$100.00 (plus regular permit fee)
Amendment of Permit Fee	\$52.00
<u>Electrical Permit Fees-Other Than Residential</u>	
<u>Rough Wiring</u>	
All switches, lighting and receptacles to be counted as outlets	
1 to 50 outlets	\$67.00
For each additional 25 outlets or fraction thereof	\$15.00
<u>Fixtures</u>	
1-50	\$67.00
For each additional 25 outlets or fraction thereof	\$13.00
*Completed installations, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.	
Otherwise, apply the fee for each of the above classifications.	

<u>Fee Description</u>	<u>Fee</u>
<u>Heating, cooking equipment and similar appliances</u>	
Outlet for single unit of 30 K.W. or less	\$34.00
Each additional unit or outlet of 30 K.W. or less	\$2.60
Cable heat, first unit	\$34.00
For each additional cable unit	\$2.60
For Central Heating and Air Conditioning Units, Electrical Furnaces, and Welders, Apply Motor Schedule	
<u>Motors-Generators-Transformers</u>	
Single unit or group not exceeding 5 motors, whose total capacity does not exceed 1 H.P., K.W., or K.V.A	\$26.00
1 H.P. to 30 H.P., K.W., or K.V.A. each	\$26.00
Over 30 H.P. to 75 H.P., or K.V.A. each	\$29.00
Over 75 H.P., K.W., or K.V.A, each	\$31.00
*Note - Where above motor fees exceed \$100.00 and inspection can be completed in a reasonable time, fee will be 50% of fee rate.	
<u>Service-Meter equipment and feeders</u>	
Amps	
Not over 100	\$34.00
Over 100 to 225	\$39.00
Over 225 to 400	\$65.00
Over 400 to 1000	\$118.00
Over 1000	\$199.00
<u>Primary Transformers</u>	
Vaults-Enclosures-Substations	
KVA	
Not over 200	\$93.00
Over 200 to 500	\$132.00
Over 500	\$199.00
<u>Electric Signs-Incandescent</u>	
Divide the total number of sockets for "4" applying rough Wiring Schedule for each sign	

Fee Description	Fee
<u>Electric discharge lighting systems</u>	
Charge to based on each sign	\$52.00
<u>Low Voltage: Fire Protection, security, alarms</u>	
Communication and data lines	
For the first 15 devices	\$107.00
For each additional 5 devices	\$5.00
<u>Pneumatic Circuits:</u>	
For the first 2 circuits	\$107.00
For each additional 5 devices	\$5.00
Certification of Protective Signaling System	\$132.00
<u>Electrical Permit Fees-Residential</u>	
<u>Flat Rate Schedule</u>	
Single-Family dwelling unit - Not over 100 Amp. Service	\$98.00
Single-family dwelling unit - Not over 200 Amp. Service	\$127.00
1 or 2 family dwelling units over 200 Amps.	\$166.00
Modular Dwellings - not over 200 Amps.	\$74.00
Modular Dwellings - 200 to 400 Amps.	\$114.00
Add: If service is over 400 Amp, apply additional service listed under "other than residential" fee schedule	
Single Family Dwelling w/low voltage	reg. flat rate + \$49.00
<u>Minor alterations and additions</u>	
1 outlet but not exceeding 6 outlets (ONE TIME VISIT ONLY)	\$52.00
7 outlets but not exceeding 40 outlets (Including service)	\$107.00
40 Outlets and over	\$127.00
<u>Mobile Homes</u>	
Service only (Including Feeder or Receptacle	\$52.00
<u>Service installation - Appliances</u>	
When not included in inspection with other equipment:	
Pole Construction Service Only	\$52.00
Not over 100 Amp, including 1 to 6 outlets	\$52.00
Over 100 Amps to 225 Amps, including 1 to 6 outlets	\$52.00
Not over 400 Amp -including 1 to 6 outlets	\$91.00

Fee Description	Fee
<u>Swimming Pools, Hot Tubs, Spas</u>	
Bonding	\$34.00
Motor Only	\$26.00
Motor and lights and receptacles	\$60.00
Bonding, Motor, and Light	\$94.00
Minimum fee for all electrical permits - Residential	\$52.00
Minimum fee for all electrical permits - Commercial	\$135.00
Re-inspection fees (when applicant calls and inspector finds work not ready, permit not posted or unable to gain entry	\$52.00
<u>Plumbing Permit Fees</u>	
Minimum fee for plumbing permit	\$37.00
First fixture or plumbing appliance-residential	\$29.00
All additional fixtures or appliances, each	\$10.00
First fixture or plumbing appliance-commercial	\$48.00
All additional fixtures or appliances, each	\$10.00
Building sewer service (public connection)	\$115.00
Building water service (public or private connection)	\$115.00
Building water and sewer services at the same time	\$115.00
Water heating equipment installation, per heating unit	\$37.00
Water-cooled-air conditioning, refrigeration, machinery, and compressor installation	\$37.00
Transfer or renewal of a plumbing permit	\$19.00
Swimming pools	\$37.00
Gas appliances-residential-total fee	\$57.00
Gas appliances-commercial-total fee	\$96.00
Re-inspection	\$37.00
<u>License Fees - Electrical and Plumbing</u>	
License for Master Electrician, Restricted, or Limited License	\$212.00
Renewal-every two years	\$185.00
Late Renewal Fee	\$132.00
Letter of Reciprocity	\$39.00
Electrical Exam	\$26.00
Master Plumber - new	\$152.00
Renewal - every two years	\$134.00
Journeyman Plumber -every two years	\$37.00
Septic System Installers - every two years	\$115.00
Appliance Installers - every two years	\$76.00
<u>Plat Review Fee</u>	
Preliminary	\$1,787 + \$5/Acre+\$21/Lot
Combined Preliminary/Final	\$528 + \$31/Lot

Fee Description	Fee
Finals	\$610 + \$21/Lot
Miscellaneous (e.g. addition, public taking, etc.)	\$407.00
Extension Request	\$691.00
<u>Miscellaneous Requests</u>	
Modifications	\$691.00
Sketch/Concept	\$813.00
Residential Cluster	\$1,016.00
Agriculture Cluster	\$610.00
<u>Site Plan</u>	
New Residential	\$1,219 + \$10/Dwelling Unit
New Commercial/Industrial	\$1,215 + \$78/Acre
Re-approval	\$488.00
<u>PUD/MXD Plans</u>	
Phase II	\$1,627 + \$21/acre
<u>Development Review Fees</u>	
Site Improvement Plans	
Sliding Scale Based on Cost Estimates	
Up to \$10,000	\$371.00
\$10,001 to \$25,000	\$371 + 1.65% over \$10,000
\$25,001 to \$50,000	\$779 + 1.50% over \$25,000
\$50,001 to \$100,000	\$1,395 + 1.25% over \$50,000
\$100,001 to \$250,000	\$2,427 + 1.15% over \$100,000
<u>Subdivision Improvement Plans</u>	
Up to \$10,000	\$371.00
\$10,001 to \$25,000	\$371 + 1.65% over \$10,000
\$25,001 to \$50,000	\$779 + 1.50% over \$25,000
\$50,001 to \$100,000	\$1,395 + 1.25% over \$50,000
\$100,001 to \$250,000	\$2,427 + 1.15% over \$100,000
Over \$250,000	\$5,270 + 1.0% over \$250,000
Preliminary Plans	\$328/Plat
Preliminary Final/Plats	\$248/Plat
Final Plats	\$122/Plat
Miscellaneous Plans	\$83/Plan
Extension Requests	\$122/Plat
Modification/Waiver Requests	\$165/Plat
Site Plan Review	\$248/Plat

Fee Description**Fee**

FIRE PLAN REVIEW & INSPECTION FEES**(New Construction/Installation, Renovation/Modification, Etc.)**Fire Plan Review And Inspection Fee

\$0.10 per gsf

Flammable Or Combustible Liquid/Gas Storage Tank(s):

\$155.00 Plan Review Fee per Tank

\$155.00 Inspection Fee per Tank

*Exception: Tanks used to provide fuel to heat or other utility service to a building.*Outside Storage Of Flammable Or Combustible Material

(Scrap tires, tree stumps, lumber, drums of flammable or combustible materials, etc)

\$155.00 per acre Plan Review and Inspection Fee

Fire Alarm And Detection Systems:Plan Review

\$155.00 per story, plus \$3.00 per fire alarm initiating/indicating device

Inspection

\$155.00 per story, plus \$3.00 per fire alarm initiating/indicating device

The fees include the plan review and inspection of a complete system of wiring, controls, alarm/detection equipment, audio/visual devices and related appurtenances. Plus one final acceptance test of the installed system.

Fire Lance Establishment

\$104.00 for Review and Inspection

Suppression Systems & Fire PumpsNFPA 13,13R and Foam Systems

A. \$2.00 per sprinkler head for Plan Review - Minimum \$104.00

B. \$2.00 per sprinkler head for Inspection - Minimum \$155.00

The fees include the plan review and inspection of shop drawings, hydraulic calculations, piping, control valves, connections and other related equipment and appurtenances. Also, one hydrostatic test and one final acceptance test.

NFPA 13D Systems

A. \$104.00 per Sprinkler System - Plan Review per model per development.

B. \$155.00 per Sprinkler System - Inspection

The fees include the plan review and inspection of shop drawings, hydraulic calculations, piping, control valves, connections and other related equipment and one final acceptance test.

NFPA 14 (Standpipe Systems)

- A. \$155.00 Plan Review Fee per Riser
- B. \$155.00 Inspection Fee per Riser

The fees include the plan review and inspection of a complete system of shop drawings, piping, control valves, connections and other related equipment and appurtenances. Also, one flush test, one hydrostatic test, and one final acceptance test of the installed system.

NFPA 20 (Fire Pumps)

- A. \$155.00 Plan Review Fee
- B. \$311.00 Inspection Fee

The fees include the plan review and inspection of a complete system of pumps and all associated valves, piping controllers, driver and other related equipment and appurtenances. Also, one pump acceptance test per pump.

Witness of Fire Main Flush

\$155.00 Inspection Fee

Witness of Underground Fire Main Hydrostatic Test

\$233.00 Inspection Fee

Additional Hydrostatic Tests (Beyond Initial Test)

\$233.00 Inspection Fee

Deluge/Dry Pipe Test

\$155.00 Inspection Fee

Pneumatic Test of Dry Sprinkler System

\$155.00 Inspection Fee

Forward Flow Test of Backflow Preventor

\$155.00 per Test

NFPA 96 (Hood Suppression Systems)

- A. \$155.00 Plan Review Fee per System
- B. \$155.00 Inspection Fee per System

The fees include the plan review and inspection of a complete system of piping, controls and equipment and appurtenances. Also, one performance or acceptance test of the installed system.

Emergency Generator Test
\$155.00 per Generator

Other Chemical Extinguishing Systems

- A. \$155.00 Plan Review Fee per System
- B. \$155.00 Inspection Fee per System

The fees include the plan review and inspection of a complete system of piping, controls and equipment and appurtenances. Also, one performance or acceptance test of the installed system.

Smoke Control System:

- A. \$207.00 Plan Review Fee per System
- B. \$155.00 Inspection Fee per System

The fees include the plan review and inspection of system components and one performance or acceptance test per installed system.

Civil Plans

\$104.00 Plan Review

Capacity Certificates

\$78.00 - Original
\$10.00 - Duplicates

Additional Plan Review Fee Charges

- | | | |
|----|--|-------------------------|
| A. | 1 st Revision | No Charge |
| B. | 2 nd Revision | 25% of the Original Fee |
| C. | 3 rd and Each Subsequent Revision | 50% of the Original Fee |

Technical Services & Preliminary Walk-Thrus:

\$78.00/hour or fraction thereof

Reinspection Fees - Violations

- | | | |
|----|---|-----------------|
| A. | 1 st Re-inspection | Included in Fee |
| B. | 2 nd Re-inspection | \$250.00 |
| C. | 3 rd Re-inspection | \$500.00 |
| D. | 4 th and Subsequent Re-inspections | \$1000.00 |

Reinspection Fees - Not Ready

- | | | |
|----|-------------------------------|-----------|
| A. | 1 st Re-inspection | \$250.00 |
| B. | 2 nd Re-inspection | \$500.00 |
| C. | 3 rd Re-inspection | \$1000.00 |

Expedited Plan Review - Requested By Applicant¹

(in addition to Plan Review Fees)

A.	1 st Hour	\$207.00
B.	Each Additional Hour or Fraction Thereof	\$104.00

After Hour Inspections - Requested By Applicant²

(in addition to Inspection Fees)

A.	1 st Hour	\$207.00
B.	Each Additional Hour or Fraction Thereof	\$104.00

Minimum Fee

\$100.00 (Unless noted otherwise)

Late Payment Fee (Calculated from date of invoice)*

0-30 days	No Charge
31+ days	1% of Invoice Amt./Month

Late Payment Fee Schedule applies to all fees invoiced except Re-inspection Fees, Expedited Plan Reviews and After Hour Inspections. These fees must be paid prior to any additional services that are provided by the Fire Marshal's Office.

Fire Permit Application Fee

\$26.00

- Fire Permits are required for:
 - Installation/Modification to any Flammable/Combustible Liquid/Gas Storage Tank
 - Installation/Modification to any Outdoor Storage of Flammable or Combustible Materials
 - Installation/Modification to any Fire Alarm and Detection Systems
 - Installation/Modification to any Suppression System & Fire Pump
 - Installation/Modification to any Smoke Control System
 - Any Place of Assembly - Annual
 - Any Exhibition Hall or Area used for Exhibits - Per Event

¹ A request for expedited plan review or after hours inspection will be granted only if the Director, Permitting and Development Review Division, in his sole discretion, determines that sufficient County staff is available.

² A request for expedited plan review or after hour inspection will be granted only if the Director, Permitting and Development Review Division, in his sole discretion, determines that sufficient County staff is available.

Alternative Evaluation Process Fee

\$155.00/Request

Additional Staffing Complement Of Consultants

Actual Cost incurred by County in addition to fees accessed.

EXHIBIT B
ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)
FY 2006 FEES

(All site plans and major subdivisions, including new submissions, re-approvals, extensions and modifications for residential and non-residential developments.)

<u>Fee Description</u>	<u>Fee</u>
<u>Minor Residential Subdivision</u> – Not subject to APFO	No fee
<u>Simplified APFO Review</u> – Subject to APFO review; No traffic impact study (TIS) required, no letter of understanding (LOU) required.	
<u>Base Fee</u>	\$200
<u>Basic APFO Review</u> – Full TIS required; no LOU required.	
<u>Base Fee (\$200) plus:</u>	
APFO study period 0-3 years	\$500 (Total Fee \$700)
APFO study period greater than 3 but no more than 5 years	\$1,000 (Total Fee \$1,200)
APFO study period greater than 5 years	\$2,500 (Total Fee \$2,700)
<u>Full APFO Review</u> - Full TIS required; LOU required.	
<u>Base Fee (\$200) plus applicable <u>Basic APFO Review Fee plus:</u></u>	
APFO study period 0-3 years	\$500 (Total Fee \$1,200)
APFO study period greater than 3 but no more than 5 years	\$1,000 (Total Fee \$2,200)
APFO study period greater than 5 years	\$2,500 (Total Fee \$5,200)

EXHIBIT C
PLANNING DIVISION
FY 2006 FEES

Yard Modification Requests

\$100.00